

# **Exhibit 32**

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF LOS ANGELES  
3 DEPARTMENT 4 HON. STEPHEN M. MOLONEY, JUDGE  
4  
5 COORDINATED PROCEEDING SPECIAL TITLE )  
(RULE 3.550) )  
6 )  
LAOSD ASBESTOS CASES )  
----- )  
7 )  
) CASE NO.:  
8 SHAWN JOHNSON, AN INDIVIDUAL; HOLLY )  
JOHNSON, AN INDIVIDUAL, ) JCCP 4674/20STCV17335  
9 )  
10 )  
PLAINTIFFS, )  
11 )  
VS. )  
12 )  
JOHNSON & JOHNSON; JOHNSON & JOHNSON )  
CONSUMER INC., A SUBSIDIARY OF )  
13 JOHNSON & JOHNSON; ALBERTSONS )  
COMPANIES, INC., INDIVIDUALLY AND AS )  
14 SUCCESSOR IN INTEREST TO SAV-ON DRUG )  
STORES, INC.; COSTCO WHOLESALE )  
15 CORPORATION; RALPHS GROCERY COMPANY; )  
THRIFTY PAYLESS, INC., DBA RITE AID )  
16 PHARMACY; WALMART, INC. AND DOES 1 )  
THROUGH 400, INCLUSIVE, )  
17 )  
DEFENDANTS. )  
18 )  
----- )  
19  
20 REPORTER'S TRANSCRIPT OF PROCEEDINGS  
21 WEDNESDAY, OCTOBER 6, 2021  
22 DAY 36  
23 (PAGES 10801 TO 11014)  
24  
25 (APPEARANCES ON NEXT PAGE)  
26  
27  
28 REPORTED BY: DAYNA HESTER, C.S.R. 9970  
OFFICIAL REPORTER PRO TEMPORE

<div><div></div><div>1 APPEARANCES: 2 FOR THE PLAINTIFFS: WEITZ &amp; LUXENBERG, P.C. BY: DANNY R. KRAFT, ESQ. 3 700 BROADWAY NEW YORK, NEW YORK 10003 4 (212) 558-5500 WEITZ &amp; LUXENBERG, P.C. 5 BY: JOSEPH J. MANDIA, ESQ. 6 220 LAKE DRIVE EAST, SUITE 210 CHERRY HILL, NEW JERSEY 08002 7 (856) 755-1115 WEITZ &amp; LUXENBERG, P.C. 8 BY: BENNO ASHRAFI, ESQ. 9 1880 CENTURY PARK EAST, SUITE 700 LOS ANGELES, CALIFORNIA 90067 (310) 247-0921</div><div>FOR DEFENDANTS CHEHARDY, SHERMAN, WILLIAMS, MURRAY, JOHNSON &amp; JOHNSON RECILE, STAKELUM, &amp; HAYES LLP AND BY: JAMES M. WILLIAMS, PRO HAC VICE 13 JOHNSON &amp; JOHNSON BY: INEMESIT U. O'BOYLE, PRO HAC VICE CONSUMER INC. BY: MATTHEW J. PERTUIT, PRO HAC VICE 14 1 GALLERIA BOULEVARD, SUITE 1100 METARIE, LOUISIANA 70001 15 (504) 833-5600 KING &amp; SPALDING LLP 16 BY: STACY L. FOSTER, ESQ. 633 WEST FIFTH STREET, SUITE 1600 17 LOS ANGELES, CALIFORNIA 90071 (213) 443-4355</div></div>	<div><div></div><div>1 MASTER INDEX 2 WEDNESDAY, OCTOBER 6, 2021 --OOO-- 3 PLAINTIFFS' EXHIBITS 4 EXHIBIT DESCRIPTION FOR IN VOL. 5 NO. I.D. EVD.  6 EXHIBIT INTERNAL TESTING DOCUMENTS 11014 11014 VOL. 7 185 36  8 DEFENDANTS' EXHIBITS 9 (NONE.) 10 COURT EXHIBITS 11 (NONE.)</div></div>
<div><div></div><div>1 MASTER INDEX 2 WEDNESDAY, OCTOBER 6, 2021 --OOO-- 3 INDEX OF PROCEEDINGS DESCRIPTION PAGE VOL. 4 A.M. SESSION - OCTOBER 6, 2021 10801 VOL. 5 DISCUSSION RE ADMISSION OF PLAINTIFFS' FINAL 10801 VOL. EXHIBIT AFTER CLOSING - BY MR. ASHRAFI 6 DISCUSSION RE ADMISSION OF PLAINTIFFS' FINAL 10801 VOL. EXHIBIT AFTER CLOSING - BY THE COURT 7 DISCUSSION RE ADMISSION OF PLAINTIFFS' FINAL 10802 VOL. EXHIBIT AFTER CLOSING - BY MR. PERTUIT 8 DISCUSSION RE JURY INSTRUCTIONS - BY 10802 VOL. THE COURT 9 DISCUSSION RE CLOSING ARGUMENT DURATIONS - BY 10802 VOL. THE COURT 10 JURY INSTRUCTIONS 10803 VOL. OPENING ARGUMENT MR. KRAFT 10836 VOL. 11 P.M. SESSION - October 6, 2021 10911 VOL. REBUTTAL ARGUMENT MR. WILLIAMS 10912 VOL. 12 CLOSING ARGUMENT MR. KRAFT 10992 VOL. JURY INSTRUCTIONS 11009 VOL. 13 JUDICIAL ASSISTANT SWORN IN - BY THE COURT 11012 VOL. DISCUSSION RE ADMISSION OF PLAINTIFFS' EXHIBIT 11013 VOL. NUMBER 185 - BY MR. MANDIA 14 DISCUSSION RE ADMISSION OF PLAINTIFFS' EXHIBIT 11013 VOL. NUMBER 185 - BY MS. FOSTER 15 RULING - BY MR. MANDIA 11013 VOL.</div><div>CHRONOLOGICAL INDEX OF WITNESSES (NONE.) ALPHABETICAL INDEX OF WITNESSES (NONE.)</div></div>	<div>10801</div> <div><div></div><div>1 CASE NUMBER: JCCP 4674/20STCV17335 2 CASE NAME: SHAWN JOHNSON, ET AL. V. JOHNSON &amp; JOHNSON, ET. AL. 3 LOS ANGELES, CA WEDNESDAY, OCTOBER 6, 2021 4 DEPARTMENT 4 HON. STEPHEN M. MOLONEY, JUDGE 5 REPORTER: DAYNA HESTER, C.S.R. 9970 6 TIME: 8:52 A.M. 7 APPEARANCES: 8 REPRESENTING PLAINTIFFS: 9 DANNY R. KRAFT, ATTORNEY AT LAW JOSEPH J. MANDIA, ATTORNEY AT LAW 10 BENNO ASHRAFI, ATTORNEY AT LAW REPRESENTING DEFENDANTS: 11 JAMES M. WILLIAMS, ATTORNEY AT LAW INEMESIT U. O'BOYLE, ATTORNEY AT LAW 12 MATTHEW J. PERTUIT, ATTORNEY AT LAW STACY FOSTER, ATTORNEY AT LAW 13 -- OOO -- (THE FOLLOWING WAS HEARD IN OPEN COURT OUTSIDE THE PRESENCE OF THE 14 JURY.) 15 THE COURT: OKAY. ALL SET. MR. ASHRAFI: THERE IS ONE FINAL EXHIBIT THAT'S 16 GOING TO BE DISCUSSED TO BE ADMITTED. AND COUNSEL FOR DEFENSE AND PLAINTIFFS HAVE AGREED TO DEAL WITH THAT 17 ISSUE EITHER AT THE NOON HOUR OR AT THE CLOSING -- CLOSING. 18 NO ONE IS GOING TO MAKE AN ARGUMENT THAT WE HAVE CLOSED, AND WE CAN'T ADMIT ANY FURTHER EXHIBITS. 19 THE COURT: THAT'S THE COURT'S RULING THAT YOU HAVE RESTED SUBJECT TO THE ADMISSION OF ALL EXHIBITS 20 THAT YOU SEEK.</div></div>

10802	10804
<p>1 MR. ASHRAFI: THANK YOU, YOUR HONOR.</p> <p>2 MR. PERTUIT: AND THAT'S CORRECT, YOUR HONOR.</p> <p>3 THAT'S -- THAT'S OUR POSITION AS WELL.</p> <p>4 THE COURT: SO YOU AGREE?</p> <p>5 MR. PERTUIT: I AGREE. YES, YOUR HONOR.</p> <p>6 (A DISCUSSION WAS HELD OFF THE</p> <p>7 RECORD IN OPEN COURT.)</p> <p>8 (PAUSE IN PROCEEDINGS.)</p> <p>9 THE COURT: MR. ASHRAFI, AND, MS. FOSTER, THERE</p> <p>10 ARE TWO SPECIAL JURY INSTRUCTIONS ON REDACTED DOCUMENTS</p> <p>11 AND ENTITIES. I'M GOING TO PUT THOSE RIGHT AT THE</p> <p>12 BEGINNING SO THAT THEY MAKE SENSE.</p> <p>13 MR. ASHRAFI: THAT'S FINE.</p> <p>14 THE COURT: OKAY, MS. FOSTER?</p> <p>15 MS. FOSTER: OKAY.</p> <p>16 THE COURT: OKAY.</p> <p>17 (A DISCUSSION WAS HELD OFF THE</p> <p>18 RECORD IN OPEN COURT.)</p> <p>19 (PAUSE IN PROCEEDINGS.)</p> <p>20 THE COURT: MR. WILLIAMS, WE HAD A DISCUSSION</p> <p>21 AMONGST THE TWO TRIAL TEAMS, AND I INDICATED THAT I</p> <p>22 WOULD ALLOCATE THE TIME EQUALLY AND GIVE THE PLAINTIFF</p> <p>23 2 HOURS AND 20 -- 15 MINUTES AND THE DEFENSE 2 HOURS</p> <p>24 AND -- AND 15 MINUTES.</p> <p>25 MR. KRAFT IS GOING TO RESERVE 30 OF THOSE</p> <p>26 MINUTES. SO HE'LL TAKE AN HOUR AND 45 MINUTES --</p> <p>27 INITIALLY UP TO AN HOUR AND 45.</p> <p>28 AND THEN WE'LL TAKE OUR BREAK FOR LUNCH AND</p>	<p>1 COURTROOM TO AFFECT YOUR DECISION.</p> <p>2 DO NOT TALK ABOUT THE CASE OR THE PEOPLE</p> <p>3 INVOLVED IN IT WITH ANYONE, INCLUDING FAMILY AND PERSONS</p> <p>4 LIVING IN YOUR HOUSEHOLD, FRIENDS AND CO-WORKERS,</p> <p>5 SPIRITUALLY LEADERS, ADVISORS, OR THERAPISTS.</p> <p>6 DO NOT DO ANY RESEARCH ON YOUR OWN OR AS A</p> <p>7 GROUP.</p> <p>8 DO NOT USE DICTIONARIES OR OTHER REFERENCE</p> <p>9 MATERIALS.</p> <p>10 THESE PROHIBITIONS ON COMMUNICATIONS AND</p> <p>11 RESEARCH EXTEND TO ALL FORMS OF ELECTRONIC</p> <p>12 COMMUNICATIONS.</p> <p>13 DO NOT USE ANY ELECTRONIC DEVICE OR MEDIA SUCH</p> <p>14 AS YOUR CELL PHONE OR SMARTPHONE; YOUR COMPUTER; TABLET</p> <p>15 DEVICE; THE INTERNET; ANY INTERNET SERVICE; ANY TEXT OR</p> <p>16 INSTANT MESSAGING SERVICE; ANY INTERNET CHAT ROOM, BLOG,</p> <p>17 OR WEBSITE, INCLUDING SOCIAL NETWORKING WEBSITES OR</p> <p>18 ONLINE DIARIES TO EITHER SEND OR RECEIVE ANY INFORMATION</p> <p>19 TO OR FROM ANYONE ABOUT THIS CASE OR YOUR EXPERIENCE AS</p> <p>20 A JUROR UNTIL YOU HAVE BEEN DISCHARGED FROM YOUR JURY</p> <p>21 DUTY.</p> <p>22 DO NOT INVESTIGATE THE CASE OR CONDUCT ANY</p> <p>23 EXPERIMENTS.</p> <p>24 DO NOT CONTACT ANYONE TO ASSIST YOU, SUCH AS A</p> <p>25 FAMILY ACCOUNTANT OR DOCTOR OR LAWYER.</p> <p>26 DO NOT VISIT OR VIEW THE SCENE OF ANY EVENT</p> <p>27 INVOLVED IN THIS CASE. IF YOU HAPPEN TO PASS BY A SCENE</p> <p>28 MENTIONED IN THIS CASE, DO NOT STOP OR INVESTIGATE.</p>
10803	10805
<p>1 THEN HEAR YOU AT 1:30.</p> <p>2 MR. WILLIAMS: THANK YOU.</p> <p>3 (PAUSE IN PROCEEDINGS.)</p> <p>4 (THE FOLLOWING WAS HEARD IN OPEN</p> <p>5 COURT WITHIN THE PRESENCE OF THE</p> <p>6 JURY.)</p> <p>7 THE COURT: GOOD MORNING.</p> <p>8 AND LET ME THANK ALL OF YOU, AGAIN, JURORS AND</p> <p>9 ALTERNATES FOR BEING ON TIME. THANK YOU.</p> <p>10 JURY PANEL: GOOD MORNING.</p> <p>11</p> <p>12 JURY INSTRUCTIONS</p> <p>13 THE COURT: MEMBERS OF THE JURY AND ALTERNATES,</p> <p>14 YOU HAVE NOW HEARD ALL THE EVIDENCE. AND SHORTLY YOU</p> <p>15 WILL HEAR THE CLOSING ARGUMENTS OF THE ATTORNEYS.</p> <p>16 THEY WILL HAVE ONE LAST CHANCE TO TALK TO YOU</p> <p>17 DURING THEIR CLOSING ARGUMENT. BUT BEFORE THEY DO SO,</p> <p>18 IT'S MY DUTY TO INSTRUCT YOU ON THE LAW THAT APPLIES TO</p> <p>19 THIS CASE.</p> <p>20 YOU MUST FOLLOW THESE INSTRUCTIONS AS WELL AS</p> <p>21 THOSE I PREVIOUSLY GAVE YOU.</p> <p>22 YOU WILL HAVE A COPY OF MY INSTRUCTIONS WITH</p> <p>23 YOU WHEN YOU GO TO THE JURY ROOM TO DELIBERATE.</p> <p>24 YOU MUST DECIDE WHAT THE FACTS ARE. YOU MUST</p> <p>25 CONSIDER ALL THE EVIDENCE AND THEN DECIDE WHAT YOU THINK</p> <p>26 HAPPENED. YOU MUST DECIDE THE FACTS BASED ON THE</p> <p>27 EVIDENCE ADMITTED IN THIS TRIAL.</p> <p>28 DO NOT ALLOW ANYTHING THAT HAPPENS OUTSIDE THE</p>	<p>1 ALL JURORS MUST SEE OR HEAR THE SAME EVIDENCE</p> <p>2 AT THE SAME TIME.</p> <p>3 ALSO DO NOT LISTEN TO, READ, OR WATCH ANY NEWS</p> <p>4 ACCOUNTS OF THIS TRIAL.</p> <p>5 YOU MUST NOT LET BIAS, SYMPATHY, PREJUDICE, OR</p> <p>6 PUBLIC OPINION INFLUENCE YOUR DECISION.</p> <p>7 I AM OBLIGATED TO ADVISE YOU THAT, IF YOU</p> <p>8 VIOLATE ANY OF THESE PROHIBITIONS ON COMMUNICATION AND</p> <p>9 RESEARCH, INCLUDING PROHIBITIONS ON ELECTRONIC</p> <p>10 COMMUNICATIONS AND RESEARCH, YOU MAY BE HELD IN CONTEMPT</p> <p>11 OR FACE OTHER CRIMINAL SANCTIONS.</p> <p>12 I'LL NOW TELL YOU THE LAW THAT YOU MUST FOLLOW</p> <p>13 TO REACH YOUR VERDICT:</p> <p>14 YOU MUST FOLLOW THE LAW EXACTLY AS I GIVE IT TO</p> <p>15 YOU, EVEN IF YOU DISAGREE WITH IT.</p> <p>16 IF THE ATTORNEYS SAY ANYTHING DIFFERENT ABOUT</p> <p>17 WHAT THE LAW MEANS -- AND I DON'T ANTICIPATE THAT THEY</p> <p>18 WILL -- YOU MUST FOLLOW WHAT I SAY THE LAW IS.</p> <p>19 IN REACHING YOUR VERDICT, DO NOT GUESS WHAT I</p> <p>20 THINK YOUR VERDICT SHOULD BE FROM SOMETHING I MAY HAVE</p> <p>21 SAID OR DONE DURING THE TRIAL.</p> <p>22 PAY CAREFUL ATTENTION TO ALL OF THE</p> <p>23 INSTRUCTIONS THAT I GIVE YOU. ALL OF THE INSTRUCTIONS</p> <p>24 ARE IMPORTANT BECAUSE TOGETHER THEY STATE THE LAW THAT</p> <p>25 YOU WILL USE IN THIS CASE.</p> <p>26 YOU MUST CONSIDER ALL OF THE INSTRUCTIONS</p> <p>27 TOGETHER.</p> <p>28 AFTER YOU HAVE DECIDED WHAT THE FACTS ARE, YOU</p>

10862	10864
<p>1 THEM, BEFORE JOHNSON &amp; JOHNSON GOT TO HIM AND SAID, 2 "HEY, YOU WANT TO MAKE SOME MORE MONEY, MILLIONS OF 3 DOLLARS?" HE WROTE [AS READ]: 4 "IT IS...APPRECIATED THAT TRIVIAL 5 AMPHIBOLE ASBESTOS EXPOSURES MAY CAUSE 6 MESOTHELIOMA IN SUSCEPTIBLE INDIVIDUALS" -- 7 LIKE MR. JOHNSON -- "AND THAT THE RISK 8 CANNOT BE ADEQUATELY CONTROLLED BY WORKPLACE 9 TECHNOLOGY AND CONTROL REGULATIONS." 10 THAT'S WHAT HE WROTE BEFORE THEY GOT TO HIM 11 AND THEY STARTED STICKING THEIR MONEY IN HIS COIN SLOT 12 AND BEFORE THEY ASKED HIM TO START SINGING THEIR TUNE, 13 PLAY THEIR SONG. 14 RISK DOESN'T EQUAL CAUSE. 15 HOWEVER, IN THIS INSTANCE, MR. JOHNSON'S RISK 16 OF DEVELOPING DISEASE WAS INCREASED BY HIS EXPOSURE TO 17 JOHNSON'S BABY POWDER, AND HIS PERITONEAL MESOTHELIOMA 18 WAS CAUSED BY THE EXPOSURE TO THIS COMPANY'S PRODUCT. 19 PERIOD. 20 THAT'S THE EVIDENCE IN THE CASE. 21 NOW, MEDICAL EXPERTS. 22 WHY WOULD MR. WILLIAMS GO OUT OF HIS WAY IN 23 OPENING STATEMENTS TO CALL THESE PEOPLE "LAWSUIT 24 SCIENTISTS." 25 YOU HAD A CHANCE TO SEE EVERY EXPERT WITNESS 26 COME IN AND TESTIFY. 27 WHOSE EXPERTS WERE THE LAWSUIT SCIENTISTS? 28 PLAINTIFFS' EXPERTS, ALL TREATING PHYSICIANS.</p>	<p>1 ORIGINALLY THOUGHT HE MAY HAVE SOME -- SOME 2 SUSCEPTIBILITY FOR PROSTATE CANCER, SOME FAMILY ISSUES, 3 SOME HEREDITARY ISSUES, SOME GENETIC ISSUE. 4 SO THEY, AT THE HUNTSMAN CANCER INSTITUTE, 5 TESTED HIM. TESTED 67 OR 65 OR WHATEVER NUMBER. 6 MR. WILLIAMS COULDN'T REMEMBER. TESTED HIM FOR ALL 7 THOSE. AND NOT A SINGLE GENETIC DEFECT WAS FOUND. NOT 8 ONE. NOT ONE. 9 NO CLINICALLY SIGNIFICANT VARIANCE DETECTED. 10 NOW, YOU'RE GOING TO NEED TO -- YOU'RE GOING 11 TO HEAR A CHARGE, AND YOU HAVE ALREADY HEARD IT. 12 EVEN IF SHAWN JOHNSON WAS MORE SUSCEPTIBLE TO 13 INJURY THAN A NORMALLY HEALTHY PERSON WOULD HAVE BEEN 14 AND EVEN IF A NORMALLY HEALTHY PERSON WOULD NOT HAVE 15 SUFFERED A SIMILAR INJURY, YOU COULD STILL FIND IN HIS 16 FAVOR. 17 IT'S A COMPLETE RED HERRING. IT'S AN ABSOLUTE 18 MADE-UP FABRICATED DEFENSE THAT'S NOT BASED ON SCIENCE, 19 THAT'S NOT BASED UPON PEER-REVIEWED MEDICAL AND 20 SCIENTIFIC LITERATURE. 21 THIS WHOLE IDEA THAT MR. JOHNSON'S DISEASE IS 22 THE RESULT OF SOME FAMILIAL CANCER SYNDROME OR 23 HEREDITARY CANCER SYNDROME IS COMPLETELY FABRICATED. 24 WHY? BECAUSE THEY NEED SOME KIND OF DEFENSE 25 OTHER THAN THE ASBESTOS CAUSED THE MESOTHELIOMA. 26 BECAUSE EVEN INTERNALLY AT JOHNSON &amp; JOHNSON, 27 JOHNSON &amp; JOHNSON KNOWS MESOTHELIOMA IS ONLY 28 EXCLUSIVELY ALWAYS CAUSED BY ASBESTOS EXPOSURE.</p>
10863	10865
<p>1 DR. ZHANG, THE ONLY OCCUPATIONAL MEDICAL 2 SPECIALIST AND PATHOLOGIST WITH A PRACTICE IN MEDICAL 3 GENETICS. 4 DR. HORN, LIFE-LONG PRACTICING PULMONOLOGIST 5 HERE IN CALIFORNIA. I DIDN'T NEED TO FLY TO WALES TO 6 FIND A, QUOTE/UNQUOTE, "ONLY PROFESSOR IN THAT COUNTRY" 7 WHICH, BY THE WAY, DEFIES THE LOGIC OF REASON AND 8 BELIEF. 9 RIGHT HERE IN CALIFORNIA, DR. HORN SEEN 10 THOUSANDS OF ASBESTOS VICTIMS. 11 DR. SMITH, EMERITUS PROFESSOR AT CAL BERKELEY, 12 EPIDEMIOLOGIST, PRACTICING EPIDEMIOLOGIST. SOMEONE WHO 13 ACTUALLY DOES REAL EPIDEMIOLOGY, TEACHES EPIDEMIOLOGY, 14 HAS BEEN DOING IT FOR DECADES. 15 DR. MOLINE, OCCUPATIONAL AND PREVENTATIVE 16 MEDICINE SPECIALIST. PRESIDENT OF ONE OF THE LARGEST 17 HEALTH SYSTEMS IN NEW YORK. SEES PATIENTS EVERY DAY. 18 PART OF THE WORLD TRADE CENTER VICTIMS COMPENSATION 19 FUND. COVID RESEARCH. 20 THESE AREN'T LAWSUIT SCIENTISTS. THESE ARE 21 THE BEST OF THE BEST IN THEIR FIELD. 22 THE BEST OF THE BEST IN THEIR FIELD. 23 AND THEY CAME IN AND THEY ANSWER QUESTIONS 24 HONESTLY. THEY DIDN'T DIVERT. THEY DIDN'T FIGHT. 25 THEY DIDN'T ARGUE. 26 AND WHAT DID THEY HAVE TO SAY? 27 WELL, THIS WHOLE GENETIC TESTING THING, WELL, 28 MR. JOHNSON HAD HIS GENES TESTED AND HIS PHYSICIANS</p>	<p>1 GRASPING AT STRAWS, THROWING ANYTHING ON THE 2 WALL, SEEING WHAT STICKS, HOPING SOMETHING STICKS, 3 HOPING ONE OF YOU WILL BITE AT THIS FAKE, FABRICATED 4 NON-SCIENTIFIC DEFENSE. 5 DON'T DO IT, LADIES AND GENTLEMEN. 6 YOU HEARD DR. MOLINE EXPLAIN THE CONCEPT OF 7 INDIVIDUAL SUSCEPTIBILITY TO YOU. SOMETHING ABOUT OUR 8 INTERNAL MAKEUP MAKES US MORE SUSCEPTIBLE TO CERTAIN 9 TOXINS. 10 SOMETHING INTERNALLY TO MR. JOHNSON HAS MADE 11 HIM MORE SUSCEPTIBLE THAN THE REST OF THE WORLD TO THE 12 ASBESTOS IN JOHNSON'S BABY POWDER. 13 AND JUST BECAUSE HE IS MORE SUSCEPTIBLE, 14 DOESN'T MEAN HE DOESN'T WIN THIS CASE. 15 JOHNSON &amp; JOHNSON, WHEN THEY SELL THIS 16 PRODUCT, THEY HAVE TO MAKE IT SAFE FOR EVERYONE. AND 17 THAT'S -- THAT'S WHY YOU GET THIS CHARGE, LADIES AND 18 GENTLEMEN. THAT'S WHY THIS WAS READ TO YOU. 19 I ASKED DR. MOLINE. REMEMBER, DR. MOLINE HAD 20 A FOUR-STEP PROCESS THAT SHE UTILIZED IN ASSESSING 21 WHETHER MR. JOHNSON'S EXPOSURES TO ASBESTOS FROM 22 JOHNSON'S BABY POWDER CAUSED HIS DISEASE. AND SHE 23 TALKED ABOUT THE FOUR STEPS THAT SHE WENT THROUGH. 24 AND SHE ARRIVED AT HER CONCLUSION, WHICH WAS 25 BASED UPON SCIENCE, PEER-REVIEWED PUBLICATIONS, HER OWN 26 WRITINGS, HER OWN CASE SERIES. 27 REMEMBER THE MOLINE CASE SERIES, THE EMORY 28 CASE SERIES. OVER A HUNDRED PEOPLE EXPOSED TO COSMETIC</p>

10866	10868
<p>1 TALC GETTING MESOTHELIOMA.</p> <p>2 HOW MANY PEOPLE HAVE TO DIE OF MESOTHELIOMA</p> <p>3 BEFORE THIS COMPANY WILL SAY, "OKAY. ENOUGH'S ENOUGH.</p> <p>4 WE ADMIT IT WE DID IT"?</p> <p>5 THE CRAZY THING IN OUR SOCIETY, EVEN IF YOU'RE</p> <p>6 GUILTY, YOU CAN COME INTO COURT AND REQUIRE THE OTHER</p> <p>7 SIDE TO PROVE IT.</p> <p>8 THAT'S WHAT JOHNSON &amp; JOHNSON DID. THEY CAME</p> <p>9 INTO THIS COURTROOM KNOWING THAT THEY WERE LIABLE,</p> <p>10 KNOWING THAT THEY WERE GUILTY, AND THEY SAID, "HEY,</p> <p>11 PLAINTIFF PROVE IT."</p> <p>12 AND THAT'S WHAT WE'VE DONE OVER THE LAST</p> <p>13 36 DAYS. AND I KNOW IT'S BEEN EXHAUSTING. IT'S BEEN</p> <p>14 EXHAUSTING FOR ME AND MY TEAM.</p> <p>15 I KNOW AT TIMES IT'S BEEN FRUSTRATING FOR YOU</p> <p>16 AS JURORS. I KNOW IT'S BEEN HARD TO GET HERE EVERY</p> <p>17 DAY. I KNOW SOMETIMES IT'S HARD TO PAY ATTENTION.</p> <p>18 BUT IT'S THAT IMPORTANT.</p> <p>19 THE LAST 36 DAYS, WE SAID TO THEM, "ALL RIGHT.</p> <p>20 YOU WANT US TO PROVE IT? THAT'S EXACTLY WHAT WE'RE</p> <p>21 GOING TO DO."</p> <p>22 AND THAT'S EXACTLY WHAT WE DID, LADIES AND</p> <p>23 GENTLEMEN.</p> <p>24 AND DR. MOLINE TELLS YOU HIS EXPOSURES FROM</p> <p>25 1964 TO 1978. THOSE EXPOSURES ALONE CAUSED HIS</p> <p>26 DISEASE, INCREASED HIS RISK OF MESOTHELIOMA.</p> <p>27 SHE TELLS YOU, "ALL RIGHT. IF YOU JUST LOOK</p> <p>28 AT 1985 THROUGH 2019, THAT EXPOSURE PERIOD ALONE</p>	<p>1 AND PAID TO COME UP ON THAT WITNESS STAND AND NO MATTER</p> <p>2 WHAT QUESTION I ASKED, THEY WERE PAID TO TELL</p> <p>3 JOHNSON &amp; JOHNSON'S STORY.</p> <p>4 AND THAT'S WHAT IT IS. A STORY NOT BASED UPON</p> <p>5 FACT OR SCIENCE.</p> <p>6 REMEMBER HOW MR. WILLIAMS TOUTED TO YOU, "OH,</p> <p>7 SHE IS FROM JOHNS HOPKINS, JOHNS HOPKINS"?</p> <p>8 JOHNS HOPKINS IS A GREAT UNIVERSITY. THEY HAVE</p> <p>9 SOME VERY WELL-KNOWN AND RENOWNED PHYSICIANS,</p> <p>10 CLINICIANS, MOLECULAR BIOLOGISTS, GENETICISTS.</p> <p>11 JOHNSON &amp; JOHNSON COULDN'T GET ONE OF THOSE PEOPLE.</p> <p>12 THEY COULD ONLY GET HER.</p> <p>13 AND I HAVE TO TELL YOU IF I WAS SUFFERING FROM</p> <p>14 COVID OR I HAD SOME VASCULAR DISEASE, SHE MAY BE THE</p> <p>15 PERSON YOU GO SEE.</p> <p>16 BUT WHEN IT COMES TO MESOTHELIOMA AND WHEN IT</p> <p>17 COMES TO THIS CASE, WRONG PLACE, WRONG TIME, PAID FOR</p> <p>18 OPINION AS THIN -- AS THIN AS A PIECE OF PAPER.</p> <p>19 REMEMBER IN "MY COUSIN VINNY" WHERE HE TAKES</p> <p>20 THE CARDS AND HE SAYS. IF YOU LOOK AT IT AND SEE HOW</p> <p>21 THIN IT IS, THEY WANT TO SHOW YOU IT'S A BRICK?</p> <p>22 PAPER-THIN, HER OPINION, BASED UPON BASICALLY</p> <p>23 NOTHING.</p> <p>24 [AS READ]:</p> <p>25 "QUESTION: YOU'VE NEVER DONE ANY RESEARCH</p> <p>26 IN YOUR LABORATORY RELATED TO MESO...?</p> <p>27 NEVER, NEVER, NEVER.</p> <p>28 "ANSWER: ...CORRECT...."</p>
10867	10869
<p>1 SUFFICIENT TO HAVE CAUSED HIS PERITONEAL MESOTHELIOMA,</p> <p>2 INCREASED HIS RISK OF DISEASE."</p> <p>3 DR. SMITH, EPIDEMIOLOGIST, EMERITUS PROFESSOR,</p> <p>4 CAL BERKELEY.</p> <p>5 "WHAT WAS THE CAUSE OF DR. JOHNSON'S DISEASE?</p> <p>6 "ASBESTOS CONTAMINATION OF THE TALCUM POWDER</p> <p>7 THAT HE USED AND INHALED."</p> <p>8 DR. HORN.</p> <p>9 "QUESTION: TO A REASONABLE DEGREE OF MEDICAL</p> <p>10 CERTAINTY...WHAT WAS [THE] SUBSTANTIAL CONTRIBUTING</p> <p>11 FACTOR [OF] INCREASING MR. JOHNSON'S RISK OF DEVELOPING</p> <p>12 MESOTHELIOMA?</p> <p>13 "ANSWER: ...IT WAS THE USE OF</p> <p>14 JOHNSON &amp; JOHNSON BABY POWDER."</p> <p>15 THE BEST OF THE BEST, EXPERTS, PULMONOLOGISTS,</p> <p>16 EPIDEMIOLOGISTS, OCCUPATIONAL MEDICINE DOCTOR,</p> <p>17 PATHOLOGISTS ALL CAME INTO THIS COURTROOM AND TOLD YOU</p> <p>18 IT WAS HIS USE OF BABY POWDER WHICH CAUSED HIS DISEASE</p> <p>19 AND WHICH IS GOING TO KILL HIM.</p> <p>20 NOW, LET'S TALK ABOUT THE -- IT KILLED ME --</p> <p>21 AND RYAN, MR. TRAVIS, MADE ME WRITE "EXPERTS" UP THERE.</p> <p>22 I HAD ANOTHER WORD. HE MADE ME WRITE "EXPERTS," AND IT</p> <p>23 KILLED ME TO DO IT.</p> <p>24 BECAUSE I DON'T BELIEVE THAT THEY WERE --</p> <p>25 THEY'RE EXPERTS.</p> <p>26 THEY ARE PAID WITNESSES. PAID PROFESSIONAL</p> <p>27 WITNESSES. ACTORS.</p> <p>28 THEY WERE GIVEN A SCRIPT BY JOHNSON &amp; JOHNSON</p>	<p>1 "QUESTION: OTHER THAN JOHNSON &amp; JOHNSON</p> <p>2 AND OTHER DEFENDANTS IN ASBESTOS LITIGATION,</p> <p>3 NO ONE EVER ASKED YOU ABOUT YOUR OPINION</p> <p>4 ABOUT COSMETIC TALC OR THE ABILITY OF IT TO</p> <p>5 CAUSE DISEASE.</p> <p>6 "HAS THAT EVER HAPPENED?</p> <p>7 "ANSWER: NO, SIR.</p> <p>8 "QUESTION: WHEN SOMEONE IS DIAGNOSED WITH</p> <p>9 MESOTHELIOMA AT THE CANCER CENTER, AT JOHNS</p> <p>10 HOPKINS, NO ONE EVER CALLS YOU AND SAYS,</p> <p>11 'HEY, DR. DAMICO, WHAT'S YOUR OPINION AS TO</p> <p>12 THE CAUSE OF THIS DISEASE'?</p> <p>13 "THAT NEVER HAPPENS.</p> <p>14 "ANSWER: THAT'S CORRECT.</p> <p>15 "QUESTION: WHAT RESEARCH HAVE YOU</p> <p>16 DONE" --</p> <p>17 NOW, THIS IS THE BEST.</p> <p>18 "QUESTION: TELL ME WHAT RESEARCH YOU HAVE</p> <p>19 EVER DONE ON HERITABLE CANCER SYNDROMES OR</p> <p>20 FAMILIAL CANCER SYNDROMES.</p> <p>21 "ANSWER: I HAVE NOT, SIR.</p> <p>22 "QUESTION: TELL ME THE LECTURES YOU HAVE</p> <p>23 GIVEN...."</p> <p>24 "ANSWER: I DON'T THINK I HAVE HAD -- EVER</p> <p>25 HAD THE OCCASION TO GIVE THAT LECTURE."</p> <p>26 SHE'S DONE ABSOLUTELY NO RESEARCH ON THE</p> <p>27 SUBJECT SHE WAS CALLED TO TESTIFY ABOUT. SHE BASES HER</p> <p>28 ENTIRE OPINION ON A WEBSITE, THE AMERICAN CANCER</p>

11014

1 THEY WILL BE RECEIVED INTO EVIDENCE AND SO MARKED BY  
2 MS. GONZALEZ.

3 MR. MANDIA: WE HAVE THE TAB ON IT, TOO; SO SHE  
4 CAN SEE IT'S EXHIBIT 185.

5 (PLAINTIFFS' EXHIBIT 185 WAS MARKED  
6 FOR IDENTIFICATION AND RECEIVED INTO  
7 EVIDENCE.)

8 (WHEREUPON, AT 4:41 P.M., THE  
9 PROCEEDINGS CONCLUDED AND WERE  
10 SCHEDULED TO RESUME THURSDAY, OCTOBER  
11 7, 2021, AT 9:00 A.M.)  
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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 FOR THE COUNTY OF LOS ANGELES  
3 DEPARTMENT 4 HON. STEPHEN M. MOLONEY, JUDGE  
4

5 COORDINATED PROCEEDING SPECIAL TITLE )  
(RULE 3.550) )

6 LAOSD ASBESTOS CASES )  
\_\_\_\_\_ )

7 )  
8 SHAWN JOHNSON, AN INDIVIDUAL; ET AL., )CASE NO.:  
9 )

10 PLAINTIFFS, )JCCP 4674/20STCV17335  
11 )

12 VS. )  
13 )

14 JOHNSON & JOHNSON; ET AL., )  
15 )

16 DEFENDANTS. )  
17 \_\_\_\_\_ )

18 I, DAYNA HESTER, CSR NO. 9970, OFFICIAL  
19 REPORTER PRO TEMPORE OF THE SUPERIOR COURT OF THE STATE  
20 OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY  
21 CERTIFY THAT I DID CORRECTLY REPORT THE PROCEEDINGS  
22 CONTAINED HEREIN AND THE FOREGOING PAGES, 10801 THROUGH  
23 11014-11100, COMPRISE A TRUE AND CORRECT TRANSCRIPT OF  
24 THE PROCEEDINGS TAKEN IN THE ABOVE-ENTITLED CAUSE ON  
25 WEDNESDAY, OCTOBER 6, 2021.

26 DATED THIS THURSDAY, OCTOBER 7, 2021.

27   
28 DAYNA HESTER, CSR NO. 9970  
DAYNA HESTER  
OFFICIAL REPORTER  
PRO TEMPORE